

**REMARKS**

Claims 1, 16, 30, 48 and 51 have been amended. Claim 1-39 and 41-51 are pending and claims 9-15, 24-29, 34-39, 41-47 and 50 are withdrawn from consideration. No new matter is presented in this Amendment. Proper support for the amendment to claims 1, 16, 30, 48 and 51 can be found in the specification, at least at paragraphs [0008], [0027], [0031] and [0058].

**REJECTIONS UNDER 35 U.S.C. §112:**

Claims 1 to 8, 16 to 23, 30 to 33, 48 to 49, and 51 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Independent claims 1, 16, 30, 48 and 51 have been amended in accordance with the Examiner's suggestions.

Accordingly, Applicants respectfully assert that independent claims 1, 16, 30, 48 and 51 fully comply with the requirements of 35 U.S.C. §112, first paragraph and request that the rejection of claims 1, 16, 30, 48 and 51 be withdrawn.

Applicants further request that the rejection of claims 2-7, 17-23, 31-33 and 49 also be withdrawn since these claims depend from the independent claims and therefore also fully comply with the requirements of 35 U.S.C. §112, first paragraph.

**REJECTIONS UNDER 35 U.S.C. §103:**

Claims 1 to 7, 16 to 22, and 48 to 49 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tanaka et al. in view of Srivastava et al.

Applicants traverse this rejection for at least the following reason.

Regarding the rejection of independent claims 1, 16 and 48, it is noted that claims 1, 16 and 48 recite a recording medium and a method of reproducing data including, amongst other novel features, the additional data which is reproduced simultaneously with the audio data is modified separately from the audio data.

Tanaka discloses a recording medium including a sequence of packs containing control packs (CONT), audio packs (A), audio control packs (A-CONT), and video packs (V) forming a

video content block unit (VCBU) or an audio content block unit (ACBU) (column 17, lines 22-37 and FIG. 13).

The first pack in each VCBU is a control pack CONT while the first pack in each ACBU is an audio control pack A-CONT. An A-CONT in each ACBU in a DVD-Audio is located at a place corresponding to a third pack in a VCBU in a DVD-video (column 17, lines 22-37).

Tanaka further discloses the type of information included in each pack, for example, A-CONT includes a pack header, a system header, audio character display packet, and audio search data (column 18, lines 12-22).

In other words, Tanaka discloses two types of units recorded in an information storage medium, a VCBU and an ACBU, wherein each unit includes several packs containing audio and video information. However, none of the packs or units disclosed by Tanaka can be modified or edited separately from the audio pack.

Contrary to Tanaka, independent claims 1, 16 and 48 recite that the additional data, which is reproduced simultaneously with the audio data, is modified separately from the audio data, thereby modifying information related to the audio data. Accordingly, a user can additionally record additional information such as text in audio data, and can reproduce the additional information together with the audio data.

Srivastava relates to electronic data storage, content management and retrieval systems (column 1, lines 7-10). In particular Srivastava relates to capturing metadata stored in diverse proprietary formats, capturing user-generated metadata and capturing metadata from other sources and transforming the captured metadata into logical annotations and storing the captured metadata in a standard format (column 1, lines 42-49).

Srivastava further discloses a GUI for displaying and editing attributes and samples, the GUI including two tab-selected panes. Through one pane, a user can add attributes to the extracted annotation or change the attribute values (column 4, lines 14-22).

In other words, Srivastava discloses an apparatus through which attribute information stored in a media file can be edited or modified. However, to edit or modify the attribute information, the attribute information in the media file first needs to be reproduced by the apparatus and thereafter the modification or editing is made (column 4, lines 49-60). Furthermore, once the editing of the information is done, such modified information is not stored

in the recording medium but rather in the computer. Therefore, additional information is added only after the original information in the recording medium is extracted (column 5, lines 12-26 and column 6, lines 1-7). Accordingly, any additional information is not reproduced simultaneously with the audio data since the additional information is added only after the data in the media file or recording medium has been extracted.

As noted above, independent claims 1, 16 and 48 recite that the additional data which is reproduced simultaneously with the audio data is modified separately from the audio data.

Accordingly, Srivastava fails to teach or suggest the novel features recited in independent claims 1, 16 and 48 and cure the deficiencies of Tanaka.

Accordingly, Applicants respectfully assert that the rejection of claims 1, 16 and 48 under 35 U.S.C. §103(a) should be withdrawn because neither Tanaka nor Srivastava, whether taken singly or combined teach or suggest each feature of independent claims 1, 16 and 48.

Furthermore, Applicants respectfully assert that dependent claims 2-7, 17-22 and 49 are allowable at least because of their dependence from claims 1, 16 and 48, and because they include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 2-7, 17-22 and 49 also distinguish over the prior art.

Claims 8, 23, 30 to 33, and 51 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tanaka et al. in view of Srivastava et al. as applied to claims 1 and 16 above, and further in view of Ema et al.

Regarding the rejection of independent claims 30 and 51 it is noted that claims 30 and 51 recite a reproducing apparatus for reproducing data from a recording medium including, amongst other novel features, that the additional data which is reproduced simultaneously with the audio data is modified separately from the audio data.

As noted above, neither Tanaka nor Srivastava, whether taken singly or combined teach or suggest the features of the additional data which is reproduced simultaneously with the audio data is modified separately from the audio data.

Ema teaches a music reproducing apparatus for reproducing audio information, including tempo, beat or the like recorded on a DVD. The information recorded on the DVD includes cells, each cell having a plurality of audio packs and real time information packs (column 6, lines 33-

41). Ema further discloses the type of information recorded on each pack, such as tempo information, music name, artist, words of a song and the like (column 6, lines 51-58).

Ema however, fails to teach or suggest that the additional data which is reproduced simultaneously with the audio data is modified separately from the audio data, as recited in independent claims 30 and 51.

Accordingly, Ema fails to teach or suggest the novel features recited in independent claims 30 and 51 and thus fails to cure the deficiencies of Tanaka and Srivastava.

Accordingly, Applicants respectfully assert that the rejection of claims 30 and 51 under 35 U.S.C. §103(a) should be withdrawn because neither Tanaka nor Srivastava nor Ema, whether taken singly or combined teach or suggest each feature of independent claims 30 and 51.

Furthermore, Applicants respectfully assert that dependent claims 31-33 are allowable at least because of their dependence from claim 30, and because they include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 31-33 also distinguish over the prior art.

Additionally, Applicants respectfully assert that dependent claims 8 and 23 are allowable at least because of their dependence from claims 1 and 16, respectively, and because they include additional features which are not taught or suggested by the prior art. Therefore, it is respectfully submitted that claims 8 and 23 also distinguish over the prior art.

#### **CONCLUSION:**

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There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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